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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,757	01/22/2004	Bryan P. Pendleton	BAO-0052	7542
23413	7590	09/29/2005	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			WALKER, ZAKIYA NICOLE	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/763,757

Applicant(s)

PENDLETON, BRYAN P.

Examiner

Zakiya N. Walker

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>07292004,01222004</u> . | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the term "disclosed herein" is stated in lines 1, 3, and 6. Correction is required. See MPEP § 608.01(b).

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Gano.

Gano discloses an apparatus that includes, with respect to claim 1, a self orienting selectable locating collet comprising: a collet having at least one deflectable finger; an orientation key 181 positioned at said deflectable finger 1404 (or 1425b); a collet profile (in hanger outside of collet) disposed at an outside dimension of said collet.

Art Unit: 3676

With respect to claim 10, the reference discloses a system that includes a system for downhole orientation and selective location of a collet comprising: an orientation profile (outside 181) installable in a downhole environment', a matchable profile in said orientation profile; a collet having at least one deflectable finger 1404 and orientation key 181 positioned at said deflectable finger; and a collet profile disposed at an outside dimension of said collet, said profile being selectively matchable to said matchable profile. With respect to claim 20, the reference discloses a system that includes a wellbore configured for self orienting and selective locating of collets comprising: a liner having at least two orientation profiles therein, each having a distinct matchable profile and defining through bores having the same internal dimension; and a collet runnable in said liner having a collet profile complementary to one of said at least two orientation profiles. With respect to claim 22, the reference discloses a method that includes a method for promoting self orientation and selective location of collets in a wellbore comprising: installing in a liner, at least two orientation profiles having selective matchable profiles; running a collet having a deflectable orientation key and a collet profile thereon complementary to one of said at least two orientation profile matchable profiles; and orienting said collet by driving said key against said orientation profile and engaging said matchable profile where complementary to said collet profile. With respect to claim 25, , the reference discloses a system that includes a wellbore configured for self orienting and selective locating of collets comprising: a tubing having at least two orientation profiles therein, each having a distinct matchable profile and defining through bores having the same internal dimension', and a collet runnable in

said tubing having a collet profile complementary to one of said at least two orientation profiles. With respect to claim 26, the reference discloses a method that includes a method for promoting self orientation and selective location of collets in a wellbore comprising: installing in a tubing, at least two orientation profiles having selective matchable profiles; running a collet having a deflectable orientation key and a collet profile thereon complementary to one of said at least two orientation profile matchable profiles; and orienting said collet by driving said key against said orientation profile and engaging said matchable profile where complementary to said collet profile. With respect to all the depending claims, the reference teaches the limitations as claimed.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,209,635 and US 6,142,225 teach systems having orientation keys, profiles, collet fingers and collet profiles.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zakiya N. Walker whose telephone number is (571) 272-7039. The examiner can normally be reached on Monday-Friday, 8:30 AM-5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3676

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Zakiya N. Walker
Primary Examiner
Art Unit 3676

ZW
September 26, 2005